

City Council Introduction: **Monday**, August 19, 2002  
Public Hearing: **Monday**, August 26, 2002, at **1:30 p.m.**

Bill No. 02R-185

## **FACTSHEET**

**TITLE:** **WAIVER OF DESIGN STANDARDS NO. 02013**, requested by Brian D. Carstens and Associates on behalf of Lincoln Racquet Club, Inc., to waive street trees along Old Cheney Road, generally located at So. 56<sup>th</sup> Street and Old Cheney Road.

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: Consent Agenda: 08/07/02  
Administrative Action: 08/07/02

**STAFF RECOMMENDATION:** Approval.

**RECOMMENDATION:** Approval (7-0: Carlson, Larson, Newman, Schwinn, Steward, Bills-Strand and Taylor voting 'yes'; Duvall and Krieser absent).

### **FINDINGS OF FACT:**

1. The staff recommendation to approve this waiver request is based upon the "Analysis" as set forth on p.3, concluding that the Public Works Department and the Parks and Recreation Department support the waiver. Due to existing overhead utility lines and the lack of adequate open space between the property line and parking lot, the Planning Department recommends approval of the waiver.
2. On August 7, 2002, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
3. The Planning Commission agreed with the staff recommendation and voted 7-0 to recommend approval.

**FACTSHEET PREPARED BY:** Jean L. Walker

**DATE:** August 12, 2002

**REVIEWED BY:** \_\_\_\_\_

**DATE:** August 12, 2002

**REFERENCE NUMBER:** FS\CC\2002\WDS.02013

## **LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT**

**P.A.S.:** Waiver of Design Standards #02013

**DATE:** July 25, 2002

**PROPOSAL:** Waive street trees along Old Cheney Rd.

**CONCLUSION:** Public Works Department and Parks and Recreation Department support the waiver. Due to existing overhead utility lines and the lack of adequate open space between the property line and parking lot, Planning Department recommends approval of the waiver.

**RECOMMENDATION:**

Approval

### **GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** Lots 158 I.T., 187 I.T., 188 I.T. and a portion of Old Cheney right -of-way adjacent to Lots 187 I.T. and 188 I.T. located in the SE 1/4 of Section 8, Township 9 North, Range 7 East, of the 6<sup>th</sup> P.M., Lincoln, Lancaster County, Nebraska.

**LOCATION:** S. 56<sup>th</sup> Street and Old Cheney Rd.

**APPLICANT:** Lincoln Racquet Club, Inc.  
5300 Old Cheney Road  
Lincoln, NE 68516  
(402) 423-2511

**OWNER:** Same as applicant

**CONTACT:** Brian D. Carstens and Associates  
601 Old Cheney Road Suite C  
Lincoln, NE 68512  
(402) 434-2424

**EXISTING ZONING:** I-1 Industrial

**EXISTING LAND USE:** Health Club and retail shops.

### **SURROUNDING LAND USE AND ZONING:**

North:	I-1 Industrial	Burlington Northern Railroad tracks and Nebraska State Highway 2.
South:	R-1 Residential	Financial institution with Planned Unit Development
	R-2 Residential	Church and single family residential
East:	I-1 Industrial Restaurant	
West:	I-1 Industrial	Industrial and commercial uses.

**HISTORY:** Lincoln Racquet Club was built in 1972.  
Changed from K- Light Industrial District to I-1 Industrial District with the adoption of the 1979 Zoning Update.

**TRAFFIC ANALYSIS:** Old Cheney Road is a urban collector.

**ANALYSIS:**

1. This request is to waive the Subdivision requirements for street trees (Sec.26.27.090).
2. The waiver requests is associated with Administrative Final Plat No. 02023.
3. The Parks and Recreation Department supports the waiver for the following reasons:
  - A. There are overhead utility lines.
  - B. Sight distance for traffic safety reasons to observe vehicles and bike trail users when exiting the Lincoln Racquet Club parking lot onto Old Cheney Road.
  - C. Street trees would be to close to bike trail.
  - D. Snow is deposited in the area between the south edge of the parking lot and the bike trail. This is the area where street trees would be planted.
4. Along major streets, street trees shall be planted on the private property abutting such major street (Sec 26.27.090).
5. The parking lot extends to the property line. There is no open space to plant trees between the parking lot and property line.
6. There are existing mature trees along Old Cheney, including one Ash and several Austrian Pines. The approved street tree by Parks and Recreation is a Prairie Fire Crab.

Prepared by:

Tom Cajka  
Planner

# **WAIVER OF DESIGN STANDARD NO. 02013**

## **CONSENT AGENDA**

## **PUBLIC HEARING & ADMINISTRATIVE ACTION**

## **BEFORE PLANNING COMMISSION:**

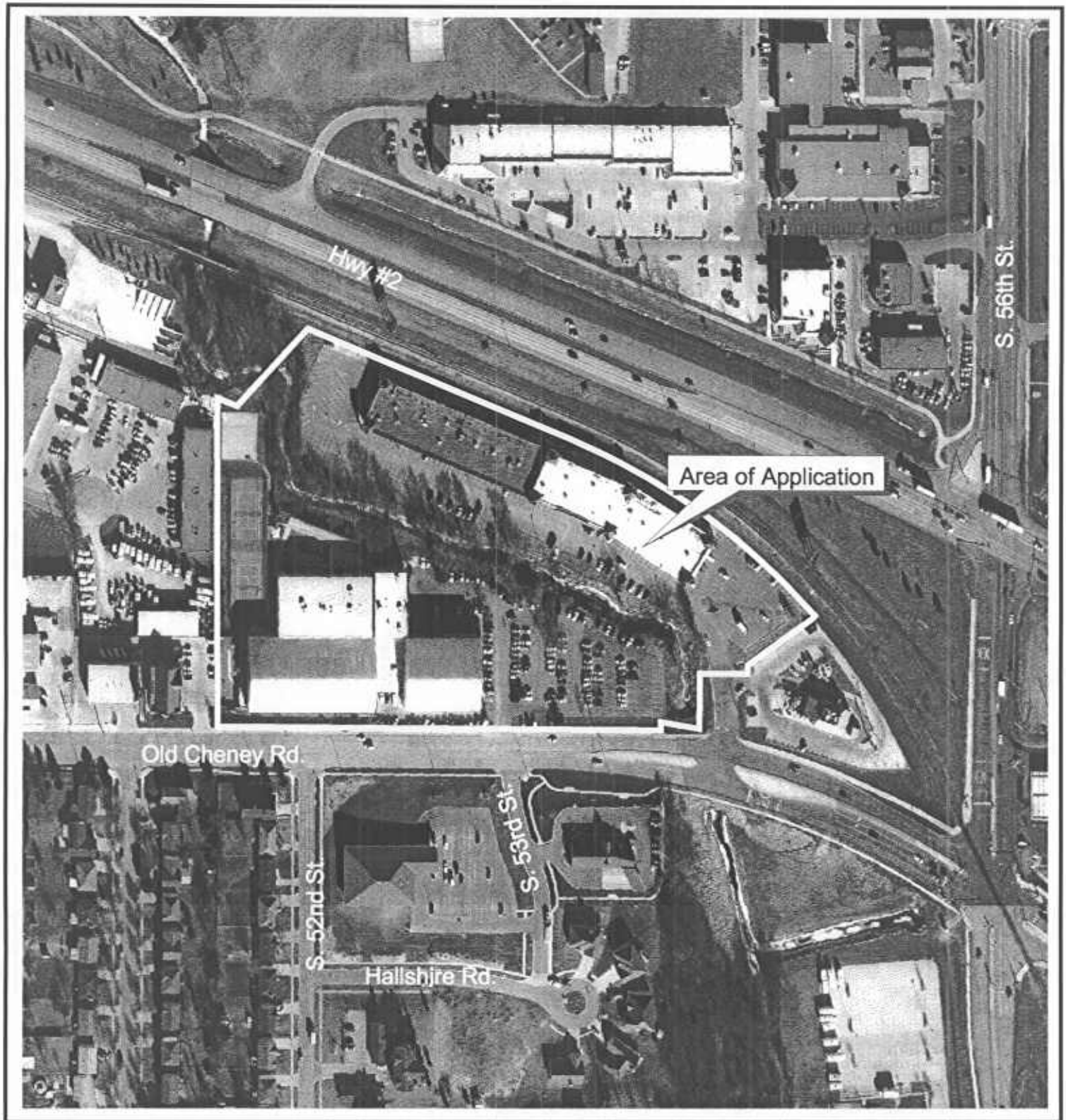
August 7, 2002

Members present: Carlson, Larson, Newman, Schwinn, Steward, Bills-Strand and Taylor; Duvall and Krieser absent.

The Consent agenda consisted of the following items: **FINAL PLAT NO. 02011, NORTHERN LIGHTS 10<sup>TH</sup> ADDITION, and WAIVER OF DESIGN STANDARDS NO. 02013.**

Larson moved to approve the Consent Agenda, seconded by Taylor and carried 7-0: Carlson, Larson, Newman, Schwinn, Steward, Bills-Strand and Taylor voting 'yes'; Duvall and Krieser absent.

Note: This is final action on the Northern Lights 10<sup>th</sup> Addition Final Plat No. 02011, unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days of the action by the Planning Commission.



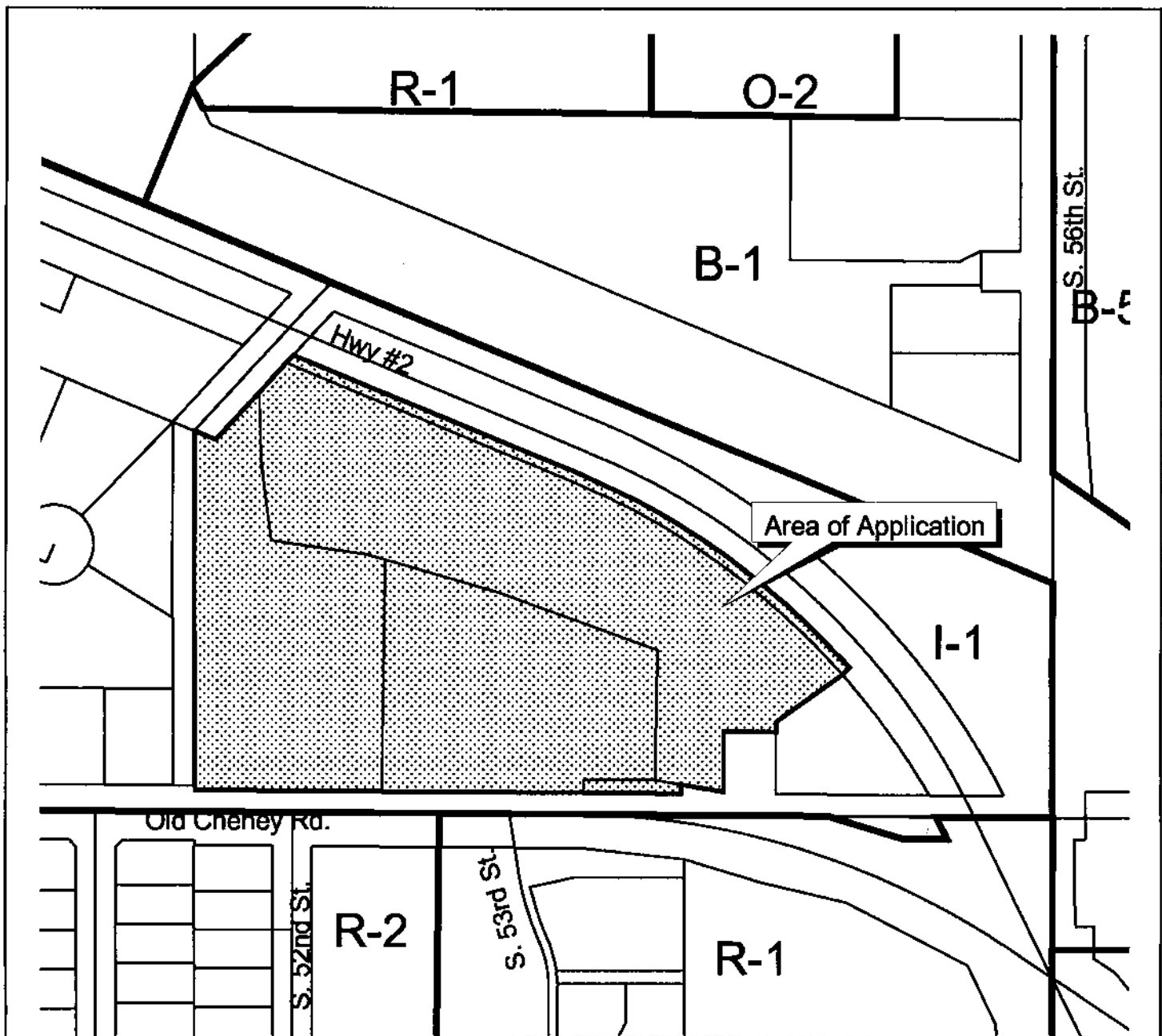
**Waiver of Design Standards #02013**  
**S. 56th & Old Cheney Rd.**  
**Lincoln Racquet Club, Inc**



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Photograph Date: 1997

Lincoln City - Lancaster County Planning Dept.

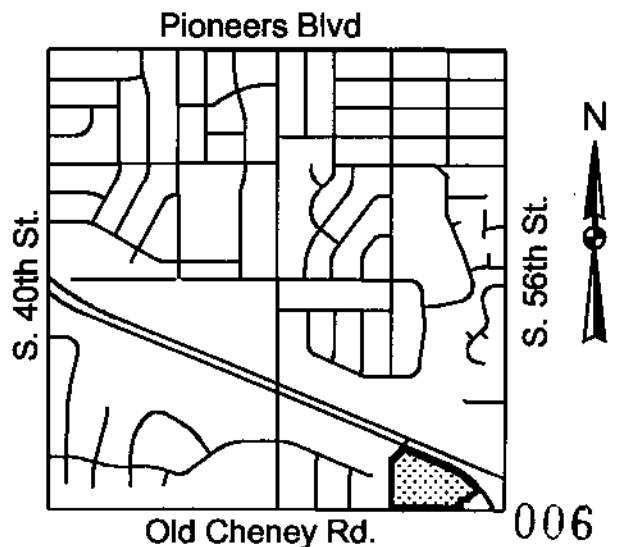
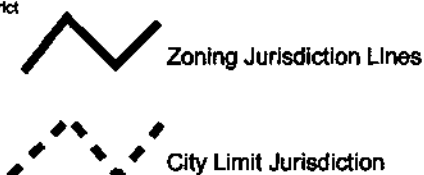


**Waiver of Design Standards #02013**  
**S. 56th & Old Cheney Rd.**  
**Lincoln Racquet Club, Inc**

**Zoning:**

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile  
 Sec. 8 T9N R7E

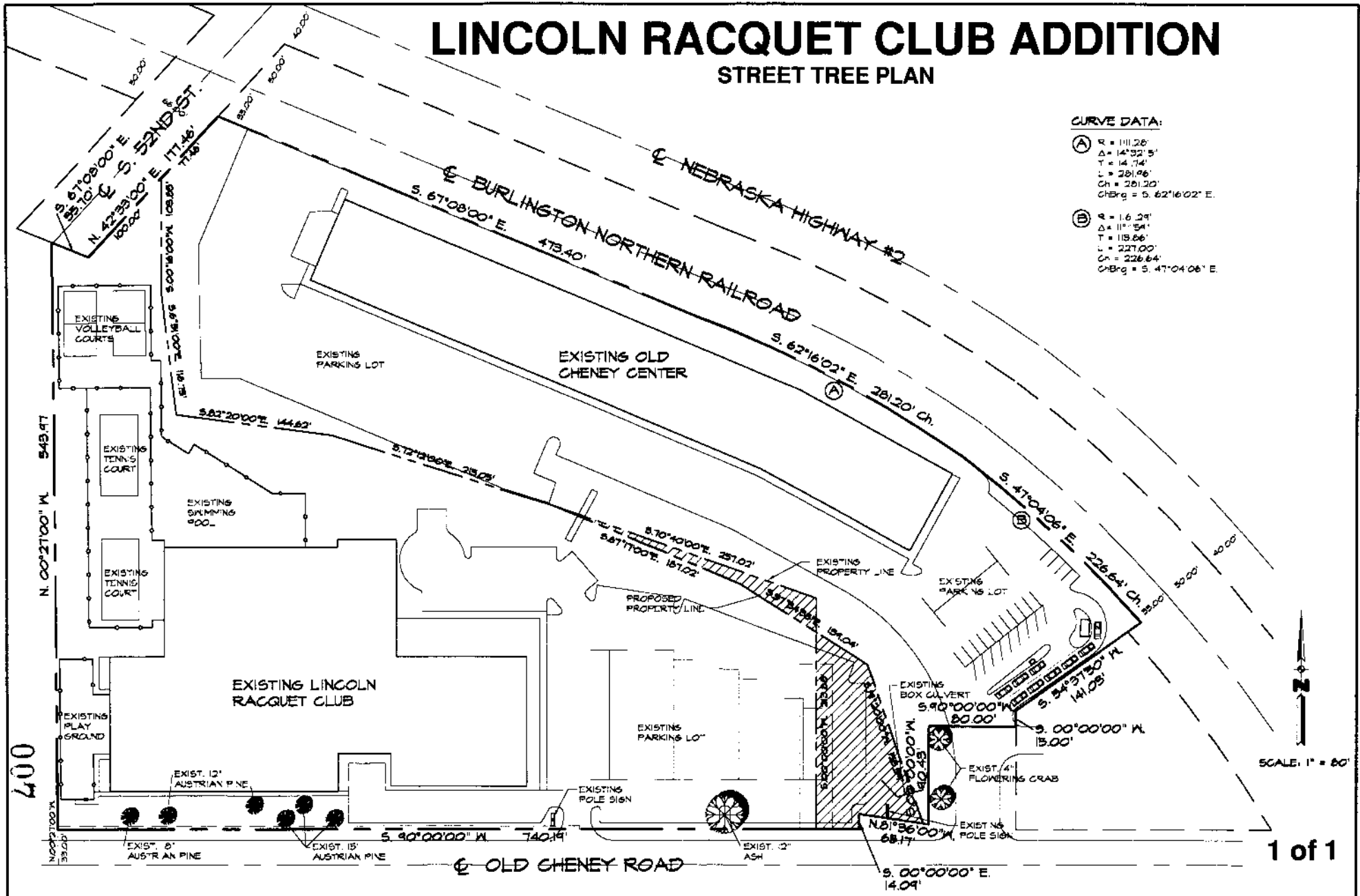


# LINCOLN RACQUET CLUB ADDITION

## STREET TREE PLAN

### CURVE DATA:

- Ⓐ  $R = 111.28'$   
 $\Delta = 142^{\circ}32'5"$   
 $T = 14.74'$   
 $L = 281.96'$   
 $Ch = 281.20'$   
 $ChBrg = S. 62^{\circ}16'02" E.$
- Ⓑ  $R = 1.629'$   
 $\Delta = 11^{\circ}54'$   
 $T = 115.66'$   
 $L = 227.00'$   
 $Ch = 226.64'$   
 $ChBrg = S. 47^{\circ}04'06" E.$



# Memo



**To: Mike DeKalb, Planning Department**

**From: Mark Canney, Parks & Recreation**

**Date: July 22, 2002**

**Re: Lincoln Racquet Club – Waiver to plant street trees**

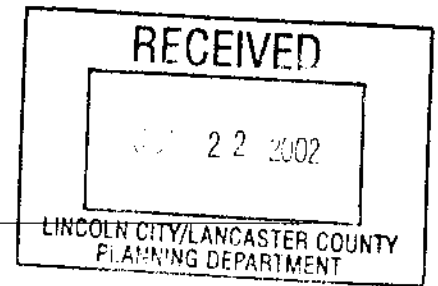
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Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and recommend that a waiver to plant street trees be granted for the following reasons:

1. Existing overhead utility lines.
2. Sight distance for traffic safety reasons to observe vehicles and bike trail users when existing the Lincoln Racquet Club parking lot onto Old Cheney Road is essential.
3. Deposited snow plow is deposited into the area between the south edge of the parking lot and the bike trail.
4. The right-of-way/parking has not changed since these comments were presented in a memo dated March 15, 1999 from Steve Schwab, City Arborist.

If you have any additional questions, comments or concerns, please feel free to contact me at 441-8248. Thank you.

# M e m o r a n d u m



**To:** Tom Cajka, Planning

**From:** DB Dennis Bartels, Public Works and Utilities

**Subject:** Waiver of Street Trees, Lincoln Racquet Club Addition

**Date:** July 22, 2002

**cc:** Roger Figard  
Randy Hoskins  
Nicole Fleck-Tooze

Engineering Services has no objection to waiving street trees in the subject addition.

**COPY****INTER-DEPARTMENT COMMUNICATION****TO:** Ray Hill**DEPARTMENT:** Planning**DATE:** March 15, 1999**FROM:** Steve Schwab**DEPARTMENT:** Parks & Recreation**SUBJECT:** Lincoln Racquet Club - Waiver to plant street trees

Post-It* Fax Note	7671	Date	6/4/02	# of pages	2
To	BRIAN CARSTENS	From	STEVE SCHWAB		
Co./Dept		Co.			
Phone #		Phone #			
Fax #	434-0467	Fax #			

An on-site meeting with Brian Carstens at the Lincoln Racquet Club was held on March 12, 1999 to determine if street trees would be feasible along Old Cheney Road.

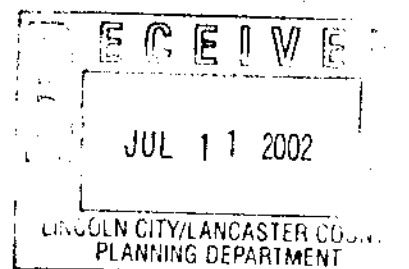
I recommend that a waiver to plant street trees be granted for the following reasons:

1. There are overhead utility lines
2. Sight distance for traffic safety reasons to observe vehicles and bike trail users when exiting the Lincoln Racquet Club parking lot onto Old Cheney Road is essential.
3. Street trees would be too close to bike trail for users (i.e. would extend out over the trail).
4. Snow plowed to clear parking lot is deposited into area between south edge of parking lot and bike trail.

If you have questions, please call me at 441-7036.

Steve Schwab  
Steve Schwab  
City Arborist

Enc.

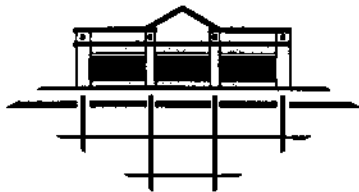


6/4/02

Spoke to Brian Carstens and the above still applies since the right-of-way/parking has not change at all since writing this memo.

FAAXED TO BRIAN CARSTENS (434-0467)  
ON 6/4/02.

Steve Schwab  
City Arborist



**BRIAN D. CARSTENS AND ASSOCIATES**  
LAND USE PLANNING RESIDENTIAL & COMMERCIAL DESIGN  
601 Old Cheney Road, Suite C Lincoln, NE 68512 Phone: 402.434.2424

July 10, 2002

Mr. Michael V. DeKalb, AICP  
Interim Interim Director of Planning  
City of Lincoln/ Lancaster County  
555 South 10th Street  
Lincoln, NE 68508

RE: WAIVER OF STREET TREES- LINCOLN RACQUET CLUB ADDITION

Dear Mike,

On behalf of Lincoln Racquet Club, Inc. and Old Cheney Center L.L.C., we request a waiver of the Subdivision Regulations for the installation of street trees along Old Cheney Road in connection with the Lincoln Racquet Club Addition Administrative Final Plat.

As you are aware, Steve Schwab, the City Arborist, has sent your department a letter stating that street trees are not feasible along Old Cheney Road for several reasons. I have included a copy of his letter for your reference. He recommends a waiver be granted.

I would encourage your department to initiate a text change to the subdivision regulations to deal with similar situations where there is total agreement between owners and City Staff that certain improvements could be waived by the Director of Planning. This would save time by both the Planning Commission and the City Council on these type of minor considerations.

Please feel free to contact me if you have any further questions.

Sincerely,

Brian D. Carstens

cc. Marlyn Schwartz, Lincoln Racquet Club & Old Cheney Center

ENCLOSURES: Copy of Steve Schwab letter  
Landscape Plan showing existing landscaping and parking  
Application fee of \$100.00

